

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

JEFFERSON-PILOT LIFE INSURANCE	:	CASE NO. C-1-02-479
COMPANY, et al.	:	
	:	(Judge Michael R. Barrett)
Plaintiff/Counterclaim Defendants,	:	(Magistrate Judge Hogan)
	:	
vs.	:	<u>DEFENDANTS' SUPPLEMENTAL</u>
	:	<u>OBJECTIONS TO PLAINTIFF'S</u>
CHRISTOPHER L. KEARNEY,	:	<u>DEPOSITION DESIGNATIONS</u>
	:	
Defendant/Counterclaim Plaintiff.	:	
	:	

Objections Key

R = Relevance
UP = Unfair Prejudice outweighs probative value, or admission will cause confusion
HS = Hearsay
LF = Lack of Foundation
NQ = Not qualified as an expert
F = Form of Question
P = Privilege
S = Inadmissible Settlement Discussions

Robert Mills - 2004 Deposition

<u>Page/Line</u>	<u>Objections</u>
18:15 - 18:18	R
24:1 - 24:13	Incomplete. Context requires inclusion of 24:14 - 25:11
27:1 - 27:23	Incomplete. Context requires continuation through 28:14
29:1 - 29:7	Incomplete. Context requires the answer on page 29:8 - 29:16
31:4 - 31:15	R, UP, F
32:2 - 32:13	R
33:2 - 33:7	F
34:11 - 34:19	F
35:6 - 35:16	F, No answer provided
35:17 - 36:9	R, F
36:10 - 36:13	R, F, No answer provided
36:17 - 37:24	R

<u>Page/Line</u>	<u>Objections</u>
38:23 - 40:5	R, F
40:12 - 41:19	R, F, UP
42:19 - 43:3	R
46:13 - 46:24	R, F
47:4 - 47:16	R
50:24 - 54:3	R, F, UP, Several questions unanswered
56:6 - 57:2	R
62:18 - 62:24	R, F, No answer to the question
63:1 - 63:15	R, F, UP
65:18 - 66:1	R, F, UP
70:1 - 70:12	R
71:20 - 72:2	R
75:20 - 78:6	R, F, Several questions unanswered
102:3 - 102:16	R, UP
103:5 - 103:11	R, F, UP
103:18 - 105:16	R
107:19 - 108:17	R
109:5 - 109:24	R
110:11 - 110:19	R
111:11 - 111:15	R
112:12 - 112:18	R
120:14 - 120:20	R
123:6 - 126:5	R, F, UP
127:1 - 127:11	R, F, UP
144:18 - 146:7	R
185:3 - 185:10	R, F
190:23 - 195:8	R, F, Call for legal conclusions
198:8 - 200:24	R, F, UP
204:9 - 204:23	R, F, UP
205:10 - 206:3	F, R, UP
208:4 - 210:24	F, R, UP
211:22 - 223:3	R, F, UP, Calls for legal conclusions
224:16 - 227:6	R, F, UP

As a general objection to the deposition citations of Robert Mills' 2004 deposition, Mr. Mills was being questioned on events from three years prior entirely by memory and on multiple occasions, offered to review the claims file and ensure accurate answers, which offer was refused by Mr. Kearney's counsel. A general objection to this memory quiz is that it is designed to

mislead the jury. Defendants, therefore, object to the reading of any part of Mr. Mills' testimony which relates to his memory of the claims file.

Robert Bonsall

<u>Page/Line</u>	<u>Objections</u>
5:24 - 6:12	R
7:24 - 10:5	R, UP, Calls for legal opinion
12:22 - 13:12	R
16:22 - 18:7	R
24:22 - 28:16	R, UP
29:7 - 29:17	R
35:15 - 35:22	R
42:8 - 42:12	R
43:4 - 43:7	R
52:17 - 53:3	R
54:5 - 56:11	R, UP, F
57:8 - 58:15	R, UP, F
63:4 - 63:19	Incomplete, R, UP
64:11 - 64:20	R; UP

Valerie Loftin (05/06/2004)

<u>Page/Line</u>	<u>Objections</u>
ADD 3:20 – 7:9	
ADD 9:17 – 9:21	
16:13 – 17:24	R
19:6 – 19:23	R, UP
ADD 21:1 – 21:3	
21:25 – 22:6	R, UP
25:7 – 26:7	R, UP
26:15 – 26:19	R, UP
35:2 – 35:8	R
35:24 – 36:8	R, UP
ADD 38:10 – 38:21	
57:17 – 58:5	R, UP
66:2 – 66:18	R, UP
68:12 – 70:19	R, UP
79:6 – 81:20	R, UP, P
114:1 – 114:13	R, UP, S
120:12 – 120:20	R
170:1 – 170:25	LF, HS, R, UP
173:7 – 173:20	P, R, UP

Valerie Loftin (08/10/2007)

<u>Page/Line</u>	<u>Objections</u>
4:10 – 4:15	R
7:2 – 7:4	R
12:21 – 12:25	R
13:19 – 13:20	R
17:14 – 17:24	R
18:10 – 19:1	R
19:9 – 20:14	R
22:5 – 25:25	R, UP
26:21 – 28:16	R, UP
33:6 – 42:3	R
33:17 – 34:6	F, LF
36:3 – 41:25	R, UP
44:21 – 48:5	R, UP
48:14 – 52:1	R
53:4 – 53:23	R
53:24 – 54:25	R, UP
55:22 – 56:6	R
56:18 – 58:18	R
66:10 – 66:23	R

Respectfully submitted,

/s William R. Ellis
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing has been filed with the Court by electronic means on this 14th day of September, 2007. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ William R. Ellis

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